

MINUTE ENTRY

; PROCEEDINGS: JURY TRIAL - Day 2

Attorney Arriola was present with Plaintiffs Roman T. Cabrera, Roman Torres Cabrera, Jr., Ian Torres Cabrera, Aaron Torres Cabrera and Isabelle Cabrera. Attorneys Ramona Manglona and Clyde Lemons were present on behalf of Commonwealth of the Northern Mariana Islands, Hillary Tagabuel and Charlie Patris. All eight jurors were present.

Attorney Arriola began opening statement at 10:18 a.m. and finished at 10:31 a.m. Attorney Ramona Manglona began opening statement for defense at 10:33 a.m. and concluded at 10:45 a.m.

Plaintiff called witness:

ROMAN TORRES CABRERA, JR. DX. Pltfs. Ex. #1 (Arrest Warrant of Roman Torres Cabrera, Jr.). CX. Def. B1, B2, B3, B4, B5, B6 were offered and admitted into evidence. Pltf. moved to admit Ex. I; no objection, Court so ordered.

Jurors were excused for lunch at 11:30 a.m. and ordered to return to the Courtroom at 1:00 p.m.

Court recessed at 11:35 and reconvened at 1:00 p.m. outside the presence of the jurors.

Attorney Manglona objected to the request for additional witnesses being added to the Plaintiffs' list of witnesses and moved that they not be admitted. Attorney Arriola admitted that it was a last minute situation. Court granted the defendant's motion to not admit the additional witnesses to the list.

Jury was brought into the Courtroom at 1:10 p.m.

Plaintiff called witness:

ESMERALDA A. CABRERA. DX. CX. RDX.

Plaintiff called witness:

IAN TORRES CABRERA. DX. Ex. #3 (Arrest Warrant for Ian Torres Cabrera). Pltf. offered Ex. 3 into evidence, there being no objection, Court so ordered. CX. RDX.

Plaintiff called witness:

AARON TORRES CABRERA. DX. Ex. #4 (Arrest Warrant for Aaron Torres Cabrera). Pltf. offered Ex. #4 into evidence; there being no objection, Court so ordered. CX.

ROMAN TAISACAN CABRERA. DX. Ex. #5 (Arrest Warrant for Roman Taisacan Cabrera). CX. Def. Ex. F (Penal Summons of Roman T. Cabrera, Sr.) Def. Ex. A (Picture of Sign).

ISABELLE CABRERA. DX. CX.

Plaintiff rested their case at 2:40 p.m.

At 2:41 p.m. jurors were excused for an afternoon break and left the Courtroom.

In learning that Plaintiffs Ex. 5 had not been moved into evidence, Attorney Arriola moved that it be entered; there being no objection, Court to ordered.

Outside the presence of the jury Attorney Manglona moved for a Rule 50 (a); Judgment as a Matter of Law as to certain counts of the Complaint. Attorney Arriola argued on behalf of the Plaintiffs.

Jurors were brought back into the Courtroom at 3:12 p.m. and were excused for the evening. Jurors were once again, admonished not to discuss the case amongst themselves or with anyone. Further, Court ordered that they return at 9:00 a.m. tomorrow morning to continue with this trial.

Court recessed at 3:15 p.m. for afternoon break and reconvened at 3:40 p.m.

During the break, Court reviewed their notes and Court Reporter's transcripts. Accordingly, in the First, Second and Third Cause of Action, Court granted Defendants' Motion as a Matter of Law as to Roman Taisacan Cabrera, Sr., Ian Torres Cabrera, Aaron Torres Cabrera and Isabella Cabrera. Court did not grant the Motion as a Matter of Law, in these causes of action, as to Roman Torres Cabrera, Jr. Further, Court dismissed actions against Defendant Charlie Patris as to the First, Second, and Third Cause of Action. Defense moved for Motion as a Matter of Law as to Count Four and Five. Plaintiff argued. Court denied the motion. Count Six; Court took the matter under advisement. Count Seven; Court took the matter under advisement. Count Eight; Court granted the motion as a matter of law as to Defendant Patris. Count Nine; Court granted the Rule 50 motion. Count Ten; Court granted the Rule 50 motion.

Court instructed counsel to stipulated to jury instructions and verdict forms by tomorrow morning.

; [KLL EOD 12/14/2001]